

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Racing Speed Associates, L.L.C.)	
d/b/a ASA Racing,)	
)	Case No. 07 C 6785
Plaintiff,)	
v.)	Judge Kennelly
)	
Louis R. Varney, Jr. and)	
ASA Late Model Series, L.L.C.,)	
)	
Defendants.)	

**DEFENDANTS' UNOPPOSED MOTION FOR AN EXTENSION OF TIME
TO ANSWER OR OTHERWISE PLEAD**

Defendants move this Court for an extension of time to answer the complaint or otherwise plead until February 5, 2007. In support of their motion defendants state:

1. On December 3, 2007, plaintiff filed this trademark action. Service of process was perfected on December 4, 2007, thus mandating that defendants file a responsive pleading under Fed. R. Civ. P. 12(a)(1)(A) by December 24, 2007.
2. Given the holidays and the need to investigate the claim, defendants' counsel sought an extension of time until January 15, 2008. Plaintiff's counsel did not oppose the motion and this Court granted it without hearing.
3. The parties have subsequently engaged in settlement discussions and believe they may be able to resolve the matter short of litigation. Accordingly, defendants seek another short extension to file a responsive pleading, until February 5, 2008.
4. On January 10, 2008, defense counsel contacted plaintiff's counsel by telephone and was advised that plaintiff does not object to this extension.

ACCORDINGLY, defendants respectfully request that this Court grant their motion for an extension of time to answer or otherwise plead until February 5, 2008.

Respectfully submitted,

LOUIS R. VARNEY JR. and
ASA LATE MODEL SERIES, L.L.C.

/s/ Johanna J. Raimond

One of their attorneys

Wm. Christopher Penwell
Siegel Brill Greupner Duffy & Foster P.A.
1300 Washington Square
100 Washington Avenue South
Minneapolis, MN 55402
612/337-6104

Johanna J. Raimond
Law Offices of Johanna J. Raimond Ltd.
321 S. Plymouth Court
Suite 1515
Chicago, IL 60604
312/235-6959

Attorneys for Defendants

CERTIFICATE OF SERVICE

On January 14, 2008, undersigned Counsel certifies that the attached DEFENDANTS' UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD was served through the Court's ECF e-filing system on the following:

William L. Niro
NIRO, SCAVONE, HALLER AND NIRO
181 West Madison Street
Suite 4600
Chicago, Illinois 60602

/s/ Johanna J. Raimond